

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Buffalo, N.Y.
Debtor

Case No. 20-10322-CLB
Chapter 11

District/off: 0209-1
Date Rcvd: Dec 15, 2023

User: admin
Form ID: pdforder

Page 1 of 28
Total Noticed: 5

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 17, 2023:

Recip ID	Recipient Name and Address
db	+ The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
aty	+ Gleichenhaus, Marchese & Weishaar, PC, 43 Court Street, Suite 930, Buffalo, NY 14202-3100
pr	+ Charles Mendolera, c/o The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215
ntcapr	+ Official Committee of Unsecured Creditors, c/o Pachulski Stang Ziehl & Jones LLP, Attn: J. Stang, I. Scharf, S. Golden, 780 Third Avenue, 34th Floor, New York, NY 10017-2024

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpregion02.bu.ecf@usdoj.gov	Dec 15 2023 18:26:00	Office of the U.S. Trustee, 300 Pearl Street, Suite 401, Olympic Towers, Buffalo, NY 14202-2523

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 17, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 15, 2023 at the address(es) listed below:

Name	Email Address
Adam P. Haberkorn	on behalf of Interested Party Century Indemnity as successor in interest to Insurance Company of North America, as successor in interest to Indemnity Insurance Company of North America ahaberkorn@omm.com, adam-haberkorn-2269@ecf.pacerpro.com
Adam P. Haberkorn	

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TOTAL: 603

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:) Chapter 11 Case
THE DIOCESE OF BUFFALO, N.Y.,) Case No. 20-10322
Debtor.)

**ORDER GRANTING SIXTH INTERIM APPLICATION OF JONES DAY FOR
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES AS
SPECIAL COUNSEL TO THE DIOCESE OF BUFFALO, N.Y. FOR THE
PERIOD FEBRUARY 1, 2023 THROUGH JULY 31, 2023**

Upon consideration of the *Sixth Interim Application of Jones Day for Services Rendered and Reimbursement of Expenses as Special Counsel to the Diocese of Buffalo, N.Y. for the Period February 1, 2023 through July 31, 2023* [Docket No. 2584] (the “Sixth Jones Day Interim Fee Application”),¹ the Court being fully advised in the premises, the Court having reviewed the Stipulated Final Order in the action styled *The People of the State of New York, by Letitia James, Attorney General of the State of New York v. Diocese of Buffalo et al.*² [Docket Nos. 2014-2, 2035-7] and a hearing having been held before the Court on December 13, 2023 to consider the Sixth Jones Day Interim Fee Application (the “Hearing”):

IT IS HEREBY FOUND AND DETERMINED THAT:

- A. The Court has jurisdiction to consider the Sixth Jones Day Interim Fee Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334.
- B. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
- C. Venue is proper pursuant to 28 U.S.C. § 1409.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Sixth Jones Day Interim Fee Application.

² This action was commenced against the Diocese by the Attorney General of the State of New York in the Supreme Court of the State of New York, County of New York, Index No. 452354/2020. The action was removed to the United States District Court for the Southern District of New York, Docket No. 1:21-cv-00189.

D. Proper and adequate notice of the Sixth Jones Day Interim Fee Application and the

Hearing was given and no other or further notice is required.

(2)

E. *Except as otherwise stipulated,* ✓ The services provided by Jones Day during the period from February 1, 2023 through July 31, 2023 (the “Sixth Interim Compensation Period”), as set forth in the Sixth Jones Day Interim Fee Application, were reasonable, necessary and beneficial to the chapter 11 estate of The Diocese of Buffalo, N.Y. (the “Diocese”).

F. The compensation requested in the Sixth Jones Day Interim Fee Application, as modified on the record at the Hearing, is fair and reasonable given: (a) the complexity of the New York Attorney General’s lawsuit for which Jones Day is retained as special counsel to the Diocese; (b) the time expended; (c) the nature and extent of the services rendered; (d) the value of the services rendered; and (e) the costs of comparable services other than in a case under title 11 of the United States Code.

G. The expense reimbursement sought in the Sixth Jones Day Interim Fee Application represents actual and necessary expenses incurred in connection with this chapter 11 case.

H. The legal and factual bases set forth in the Sixth Jones Day Interim Fee Application and at the Hearing establish just cause for the relief granted herein.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Sixth Jones Day Interim Fee Application is granted as set forth herein.
2. Any objections to the Sixth Jones Day Interim Fee Application, or to the compensation and expense reimbursement sought therein, that have not been made, withdrawn, waived, or settled on the record at the Hearing, and all reservations of rights included therein, are hereby overruled and disallowed on the merits.

3. As detailed at the Hearing, Jones Day agreed with the Office of the U.S. Trustee to a voluntary reduction of \$9,286.00 in compensation sought during the Sixth Interim Compensation Period. Jones Day and the Office of the U.S. Trustee agreed that, with this voluntary reduction, the Office of the U.S. Trustee's limited objection to the Sixth Jones Day Interim Fee Application has been resolved.

4. Jones Day's fees for professional services rendered during the Sixth Interim Compensation Period are allowed on an interim basis in the amount of \$89,264.00.

5. Reimbursement of Jones Day's expenses incurred during the Sixth Interim Compensation Period is allowed on an interim basis in the amount of \$366.14.

6. The Diocese is authorized and directed to promptly pay to Jones Day the fees and expenses allowed herein, with no holdback, less amounts previously paid to Jones Day pursuant to the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 362]. The fees of Jones Day allowed herein reflect the amount requested in the Sixth Jones Day Interim Fee Application less the voluntary reduction agreed upon with the Office of the U.S. Trustee.³

7. All fees and expenses allowed herein shall remain subject to final approval by the Court upon further application pursuant to 11 U.S.C. § 330(a)(5).

8. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014 or otherwise, this Order shall be effective and enforceable immediately upon its entry. Any subsequent modification or vacatur of this Order shall not invalidate or impair any actions taken pursuant to this Order prior to such modification or vacatur.

³ Pursuant to the Interim Compensation Order, Jones Day has received payments totaling \$79,321.34 for services rendered to the Debtor and expenses incurred during the Sixth Compensation Period. The unpaid balance owed to the firm for services performed for the Debtor during the Sixth Compensation Period is \$10,308.80.

9. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation and enforcement of this Order.

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Dated: December ~~14~~, 2023
Buffalo, New York

Carl Bucki

Hon. Carl L. Bucki
Chief United States Bankruptcy Judge

